

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19702 of 2003

Between:

Mr. V. Muralidhara Rao, S/o. Surya Prakasa Rao Carrying on business in the name and style of M/s. Srilakshmi Fancy Stores, 11/606, Robertsonpet, Main Head, Machilipatnam, Krishna Dist.

..... PETITIONER

AND

1. Union of India rep by its Secretary, Ministry of Finance, Department of Banking, New Delhi - 110 001.
2. I.N.C. Vysya Bank Ltd. rep by its Branch Manager, 11-66-1, Main Road, Robertsonpet, Machilipatnam, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 1st respondent in enactment of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 as being without Legislative competence and quash the consequential proceedings issued by the 2nd respondent under Sec. 13(2) of the said Act under Reference No. HYRD 16/2003 and HYRO 17/03 dated 24-7-2003,

W.P.M.P.NO. 24707 OF 2003

Petition under Section 151 CPC to direct the 2nd respondent not to take any action against the petitioner in pursuance of the Notice issued by the 2nd respondent in Reference No. HYRO 16/2003 AND HYRO 17/03, dated 24.7.2003, pending W.P. No. 19702 of 2003 on the file of this Court.

Counsel for the Petitioner: MR. A.RAMANARAYANA

Counsel for Respondent No.1.: Mr. A.Rajasekhar Reddy SC for CG

Counsel for Respondent No.2.: MR.ADDEPALLI SURYANARAYANA

The Court made the following :

